

HCS HB 458 -- Bryce's Law (Scharnhorst)

COMMITTEE OF ORIGIN: Committee on Elementary and Secondary Education

This substitute establishes Bryce's Law, which requires the Department of Elementary and Secondary Education to develop a master list of resources available to the parents of children with autism spectrum disorder and to maintain a web page for the information. The department must actively seek financial resources in the form of grants and donations that may be devoted to scholarship funds or to clinical trials for behavioral interventions that may be undertaken by qualified service providers. The department may contract out or delegate these duties to a nonprofit organization. Priority in referral for funding must be given to children who have not yet entered elementary school.

The substitute requires the department director to determine, at least annually, which organizations can be classified as scholarship-granting organizations. A scholarship-granting organization provides scholarships to eligible students attending qualified public or nonpublic schools of their parents' choice or children receiving services from qualified providers from at least 90% of its revenue from donations for tuition, fees, and transportation costs; ensure that the scholarships do not exceed an average of \$20,000 per eligible child or \$50,000 per eligible student, demonstrate its financial viability; and provide a surety bond payable to the state in an amount equal to the total amount of contributions expected to be received during the school year. An "eligible student" is defined as any elementary or secondary student who attended school in Missouri the preceding semester or who will be attending school in Missouri for the first time and has an individualized education program (IEP) based on an autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy or who has a medical diagnosis by a qualified health professional of one of those conditions. An "eligible child" is a child from birth to age five who has an individualized family services program under the First Steps Program and whose parent or guardian has completed the complaint procedure under the federal Individuals with Disabilities Education Act with an unsatisfactory response or who has been evaluated for First Steps and has been found to have a special need but falls below the threshold for eligibility by no less than 25%. The substitute requires the promulgation of rules to define the credentials to provide a medical diagnosis. Provisions for determining the number of scholarships based on a percentage of the special needs IEPs and disability incidence rates are included. The scholarship is portable and can be distributed in periodic payments as checks made

out to the student's or child's parent and mailed to the qualified school where the student is enrolled or to the qualified service provider.

Each scholarship granting organization must ensure that each participating school or service provider complies with the safety and accountability requirements specified in the substitute. They must certify that in providing educational services or behavioral strategies to a scholarship recipient with autism spectrum disorder that they will adhere to the best practices recommendations of the Missouri Autism Guidelines Initiative or document why it is varying from the guidelines. A scholarship granting organization must annually publicly report, by June 1, to the department specified information prepared by a certified public accountant regarding its grants in the previous year.

The department must conduct a study to determine the level of student and parental satisfaction with the program; the percentage of students bullied or harassed, the number of students exhibiting behavioral problems, and class size comparisons between the resident school district and the qualified school; and the fiscal impact of the program to the state and resident school districts. The department must present the report to the General Assembly by December 31, 2016.

The provisions of the substitute expire December 31, 2019.